

APPEAL NO. 021681
FILED AUGUST 15, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on May 29, 2002. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) did not sustain a compensable mental trauma injury on _____; that the claimant failed, without good cause, to timely notify his employer of his claimed injury in accordance with Section 409.001; and that the claimant has not had disability. The claimant appealed and the respondent (self-insured) responded.

DECISION

The hearing officer's decision is affirmed.

The claimant had the burden to prove that he sustained a compensable mental trauma injury; that he timely notified his employer of his claimed injury under Section 409.001, or had good cause for not timely reporting the injury; and that he had disability as defined by Section 401.011(16). Although the claimant did provide medical reports, along with his testimony, in support of his claim of a compensable mental trauma injury, the hearing officer found that the symptoms the claimant reported to his doctors did not match up with the claimant's work history after the accident. The disputed issues involved factual determinations to be made by the hearing officer. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. We conclude that the hearing officer's determinations are supported by sufficient evidence and that they are not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**INSURANCE CO.
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Robert W. Potts
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Daniel R. Barry
Appeals Judge